

REMARKS

The claims have been amended as to form, so as to take care of the objections raised in the Official Action, and in other needed ways.

Claim 1 has also been amended so as to incorporate the limitations of claims 2, 6, 12 and 18. The resulting claim is believed to be clearly patentable over the cited references.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by PADIN, or as unpatentable over PADIN in view of IRWIN et al. or VARGO.

PADIN does not show the features of claims 2 and 12, now incorporated into claim 1, namely, that the bottom part is welded to the top part, and the features of claim 18. The umbrella holder of PADIN is obviously designed for soft ground, such as the beach, and therefore cannot be mounted on a hard surface. By contrast, in the present invention, the screw of the post is screwed into an anchor which is firmly and unremovably fixed, for example cemented in the ground.

The post is fixed in the ground with a hard surface by screwing, and therefore, when the whole post is turned around its vertical axis, the problem would arise if the anchor is not fixed in the ground. Obviously, this operation could not be performed in sand.

The present invention avoids loosening of the post even though it can be screwed into the anchor without using any tools.

There is no counterpart to this in the case of a device such as PADIN's, for use in e.g., sand. Notice also that there is an elastic layer on the bottom side of the ground plate of the post, which also facilitates the application and removal of the post.

As to the elastic layer of claim 18, reference was made in the Official Action to VARGO. But this is not relevant prior art, because the post protector serves for protecting a column from damage and not for holding the shaft of an article such as an umbrella. Moreover, the post protector of VARGO is not screwed into an anchor using a central screw and turning the whole post around a central axis, which makes the post of the present invention much easier to attach and detach to the ground without any tools.

IRWIN et al. may teach the feature for which it is cited; but as this does not overcome the difficulties of PADIN and VARGO, for a reference purposes, as set forth above, it is not believed to be necessary to discuss IRWIN et al. in greater detail at the present time.

As the claims now in the case clearly bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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